



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 63765B
15 August 2012

MuckRock News
ATTN: Mr. Jason Smathers
DEPT MR 681
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Smathers:

This responds to your Freedom of Information Act (FOIA) request of 3 January 2011 for "Any documents with the phrase TALKING POINTS in the title produced in the NSA Public Affairs Office between 1/20/2009 and the date this request is processed." A copy of your request is enclosed. Your request has been processed under the FOIA, and some of the documents you requested are enclosed. Certain information, however, has been deleted from the enclosures and one document (2 pages) has been withheld in its entirety.

Some of the information deleted from the documents was found to be currently and properly classified in accordance with Executive Order 13526. This information meets the criteria for classification as set forth in Subparagraph (c) of Section 1.4 and remains classified TOP SECRET as provided in Section 1.2 of the Executive Order. The information is classified because its disclosure could reasonably be expected to cause exceptionally grave damage to the national security. Because the information is currently and properly classified, it is exempt from disclosure pursuant to the first exemption of the FOIA (5 U.S.C. Section 552(b)(1)).

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. We have determined that such information exists in these documents. Accordingly, those portions are exempt from disclosure pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statutes applicable in this case are Title 18 U.S. Code 798; Title 50 U.S. Code 403-1(i); and Section 6, Public Law 86-36 (50 U.S. Code 402 note).

Some of the information has been deleted from the enclosures pursuant to the fifth exemption of the FOIA. This exemption applies to inter-agency or intra-agency memoranda or letters which would not be available by law to a party in litigation with the agency, protecting information that is normally privileged in the civil discovery context, such as information that is part of a predecisional deliberative process.

The Initial Denial Authority for NSA information is the Deputy Associate Director for Policy and Records, D. M. Janosek. Since one document was withheld in its entirety and information was withheld from the enclosures, you may construe this as a partial denial of your request. You are hereby advised of this Agency's appeal procedures. Any person denied access to information may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days from the date of the initial denial letter. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela N. Phillips".

PAMELA N. PHILLIPS
Chief
FOIA/PA Office

Encls:
a/s

Date : Jan 3, 2011 6:33 GMT
To : FOIA Officer, Fax 14434793612
From : Requests Muckrock, EMail requests@muckrock.com
Subject: Freedom of Information Request: NSA talking points 1/20/09-present

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

Any documents with the phrase TALKING POINTS in the title produced in the NSA Public Affairs Office between 1/20/2009 and the date this request is processed.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Jason Smathers
Filed via MuckRock.com
E-mail (Preferred): requests@muckrock.com
Daytime: (617) 299-1832

For mailed responses, please address:
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Somerville, MA 02143